

ADM File No. 2010-26

1/20/2012

Good morning,

I am writing to comment on the proposed amendment to Rule 7.210 as set forth in ADM File No. 2010-26.

As proposed Rule 7.210(B)(2)(a) states, in part,

No later than 56 days after the filing of the other transcripts, Within 14 days after filing the claim of appeal, the appellant shall file with the trial court or tribunal clerk, and serve on each appellee, a motion to settle the record and, where reasonably possible, a proposed statement of facts.

The new language “No later than 56 days after the filing of the other transcripts” is confusing. What are the “other transcripts” that are being referred to in the proposed rule? What if there are no “other transcripts?” The current language “Within 14 days after filing the claim of appeal” is much less ambiguous than the proposed language and provides for an easily identifiable event from which to begin counting the deadline for the motion to settle the record.

Thank you for your time.

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